DPY OF PAPERS **ORIGINALLY FILED** PTO/SB/21 (08-00) Approved for use through 10/31/02. OMB 0651-0031 inside this box -> ADEMA U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. 10/017,066 **Application Number** TRANSMITTAL December 14, 2001 Filing Date **FORM** Arthur B. RAITANO First Named Inventor -To Be Assigned Group Art Unit To Be Assigned (to be used for all correspondence after Initial filing) **Examiner Name** 511582002410 Total Number Of Pages In This Submission Attorney Docket No. ENCLOSURES (check all that apply) Assignment Papers After Allowance Communication to Fee Transmittal Form Group (for an Application) Appeal Communication to Board of Drawing(s) Fee Attached Appeals and Interferences Appeal Communication to Group Licensing-related Papers Amendment / Reply (Appeal Notice, Brief, Reply Brief) **Proprietary Information** Petition After Final Petition to Convert to a Status Letter Affidavits/declarations **Provisional Application** Other Enclosure(s) (please identify Power of Attorney, Revocation below): Return postcard Change of Correspondence Address Extension of Time Request Terminal Disclaimer **Express Abandonment Request** Request for Refund Information Disclosure Statement; CD, Number of CD(s) PTO form 1449 Remarks Certified Copy of Priority Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY OR AGENT Kate H. Murashige Firm Registration No. 29,959 Individual Name

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

Signature

Date

March 26, 2002

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on March 26, 2002.

Garee A. Haney

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PATENT Docket No. 511582002410

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Garee A. Haney

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Arthur B. RAITANO et al.

Serial No.:

10/017,066

Filing Date:

December 14, 2001

For:

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Examiner: To Be Assigned

Group Art Unit: To Be Assigned

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97

Assistant Commissioner for Patents Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents were previously submitted in an Information Disclosure Statement and/or Office Action, directed to the related application Serial Number 09/680,728, filed October 5, 2000, and, accordingly, copies are not included herewith. This protocol conforms with 37 C.F.R. §1.98(d) and M.P.E.P. 609(A)(2). The Examiner is requested to make these documents of record in the application.

	This In	formation Disclosure Statement is submitted:								
	With the application; accordingly, no fee or separate requirements are required.									
\boxtimes	With	Within three months of the application filing date or before mailing of a first Office								
	Action on the merits; accordingly, no fee or separate requirements are required.									
	After receipt of a first Office Action on the merits but before mailing of a final Office									
Action or Notice of Allowance.										
		A fee is required. A check in the amount of * is enclosed.								
		A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached								
		to this submission in duplicate.								
		A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly; no fee								
		is believed to be due.								
	After	After mailing of a final Office Action or Notice of Allowance, but before payment of the								
	issue fee.									
		A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the								
		amount of * is enclosed.								
		A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal								
		form (PTO/SB/17 is attached to this submission in duplicate.								

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to

charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 511582002420. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: March <u>2,52002</u>

Respectfully submitted,

Registration No. 29,959

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	5. Bepler et al., Genomics (1999) 55(2):164-175 6. EMBL Sequence Accession No. A06681.Gcg_Geneseq_D, June 13, 2000 (first entry) 7. EMBL Sequence Accession No. AF101565, January 29, 1999, November 8, 2000 8. Hubert et al., Proc. Natl. Acad. Sci. USA (1999) 96(25):14523-14528 9. Klein et al., Nat. Med. (1997) 3:402										
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conformance and not considered. Include a copy of this form with next communication to applicant.